

### REMARKS/ARGUMENTS

Applicant thanks Examiner for the detailed Office Action dated August 8, 2007. In response to the issues raised, the Applicant offers the following submissions and amendments. Also enclosed is a Terminal Disclaimer linking the term and ownership of any patent granted on the present application to that of US 6,820,967.

#### Amendments

Independent claims 1, 16 and 31 have been amended to further characterize the heater element as capable of forming a gas bubble in the bubble forming liquid with a pulse of actuation energy having a duration less than 0.5 microseconds. This aspect of the invention is described at page 30, lines 17 to 22.

Accordingly, the amendments do not add any new matter.

#### Double Patenting

Claims 1 to 47 stand rejected as defining the same invention as claims 1-47 of US 6,820,967. As discussed above, independent claims 1, 16 and 31 have been amended to define that pulses of actuation energy used by the heater elements have a maximum duration of 0.5 microseconds.

Accordingly, none of claims 1 to 47 define a scope that is co-terminous with any of claims 1 to 47 of '967.

#### Conclusion

It is respectfully submitted that the Examiner's rejection has been successfully traversed and the application is now in condition for allowance. Accordingly, favorable reconsideration is courteously solicited.

Very respectfully,

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